REMARKS/ARGUMENTS

Claims 1-10 and 19-36 have been withdrawn. Claims 16-17 are amended. Claims 37-42 have been canceled. Claims 43-44 have been added.

The applicant affirms the election of claims 11-18.

The Examiner rejected claims 16 and 17 under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner stated that the limitation "the glass transition temperature" in line 2 lacks sufficient antecedent basis. Claims 16 and 17 have been amended accordingly.

The Examiner rejected claims 11-17 under 35 U.S.C. 103(a) as being unpatentable over Haigh (U.S. Patent No. 4,059,471). The Examiner stated that although Haigh disclose that the heating 118 and cooling 120 zones are kept under pressure, he does not specifically disclose, as per applicant claim 11, that the pressure is continuous, but that it would have been obvious to provide for a continuous pressure in the heating and cooling zones of Haigh motivated by the fact that without continuous pressure, intimate contact between the dye carrier 104 and substrate 108 could not be maintained resulting in an ineffective sublimation and migration of the dye stuff from the dye carrier to the substrate, which would cause mars, faint spots, and generally unappealing decoration of the substrate.

In view of Haigh, it would not be obvious that without continuous pressure, intimate contact between the dye carrier 104 and substrate 108 could not be maintained resulting in ineffective sublimation and migration of the dye stuff from the dye carrier to the substrate, which would cause mars, faint spots, and generally unappealing decoration of the substrate. The Examiner failed to point out anything in Haigh that suggests that without continuous pressure, intimate contact between the dye carrier 104 and substrate 108 could not be maintained resulting in ineffective sublimation and migration of the dye stuff from the dye carrier to the substrate, which would cause mars, faint spots, and generally unappealing decoration of the substrate. The Examiner also failed to point out anything in the art that suggests this.

In addition, Haigh teaches away from placing continuous pressure even during the entire heating process. Col. 11, lines 25-50, of Haigh states that applying pressure during the entire heating process causes the pressure applying means to be tied up during the heating cycle, which limits the production rate. Haigh goes on to teach forming a tri-laiminate in a heat and pressure

zone and then passing the tri-laminate to a pst-pressure heating zone, where there is heat but no pressure. Since Haigh teaches away from applying pressure during the entire heating process, then Haigh would not suggest applying pressure during the entirie heating process, cooling process and therebetween, as recited in claim 11. For at least these reasons, claim 11 is not made obvious by Haigh.

Dependent claims 12-17 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For example, claim 12 recites that the continuous pressure provides a pressure between 5-50 pounds per square inch for every point on the first surface of the substrate to which the image will be sublimated. The Examiner failed to point out anything in Haigh that teaches or suggests that the pressure is provided for every point on the first surface of the substrate to which the image will be sublimated. In addition, claim 14 recites that the continuous pressure limits shrinking, enlarging, extruding, and warping. The Examiner has failed to specifically point out any art that teaches that shrinking, enlarging, extruding, and warping are a problem. In addition, the Applicant requests that the Examiner points out a reference that discloses that continuous pressure from the beginning of the heating to the end of the cooling limits shrinking, enlarging, extruding and warping. For at least these reasons, claims 12-17 are not unpatentable over Haigh.

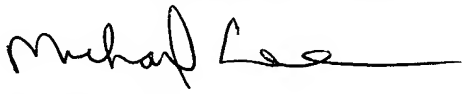
The Examiner rejected claim 18 under 35 U.S.C. 103(a) as being unpatentable over Haigh (U.S. Patent No. 4,059,471). in view of Kobayashi et al. (U.S. Patent No. 6,110,316). Claim 18 is dependent on claim 1. In addition, Kobayashi describes a localized air pressure system. It would not be obvious from Haigh and Kobayashi to provide continuous air pressure from the beginning of the heating to the end of the cooling. For at least these reasons, claim 18 is not made obvious by Haigh in view of Kobayashi.

New claims 43 and 44 recite thermal forming the substrate with elongation that does not damage the image. These limitations are supported in claims 19 and 20.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a

telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number (831) 655-2300.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



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